

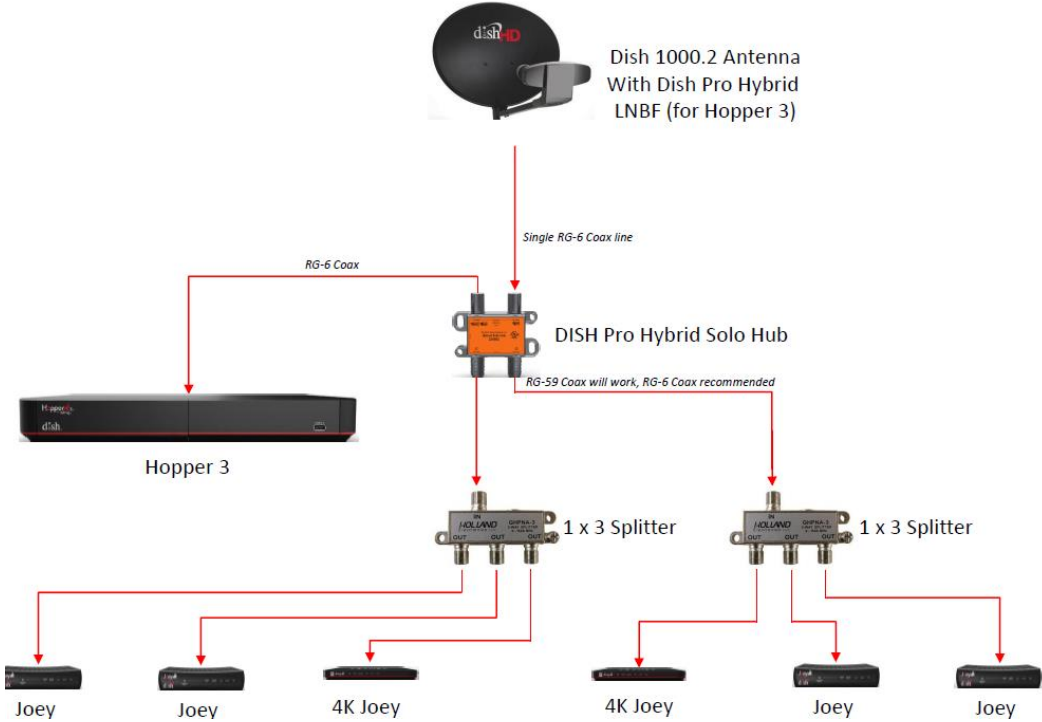
# EXHIBIT X

**U.S. Patent No. 8,363,681 (“the ’681 Patent”) Exemplary Infringement Chart**

The Accused MoCA Instrumentalities are instrumentalities that DISH deploys to provide a whole-premises DVR network over an on-premises coaxial cable network, with DISH “Hopper” and “Joey” nodes operating with data connections compliant with MoCA 1.0, 1.1, and/or 2.0. The Accused MoCA Instrumentalities include the DISH Hopper, DISH Hopper with Sling, DISH Hopper DUO, DISH Joey, DISH Joey 2, and DISH Super Joey, DISH Hopper 3, DISH 4K Joey, and DISH Joey 3, and substantially similar instrumentalities. DISH literally and/or under the doctrine of equivalents infringes the claims of the ’681 Patent under 35 U.S.C. § 271(a) by using the Accused MoCA Instrumentalities.

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1. A method for synchronizing a plurality of nodes on a communication network, comprising:	<p>The Accused Services are provided using at least the Accused MoCA Instrumentalities including the DISH Hopper, DISH Hopper with Sling, DISH Hopper DUO, DISH Joey, DISH Joey 2, DISH Super Joey, DISH Hopper 3, DISH 4K Joey, and DISH Joey 3, and devices that operate in a similar manner. The Accused MoCA Instrumentalities operate to form a communication network over an on-premises coaxial cable network as described below.</p> <p>The DISH full-premises DVR network constitutes a communication network as claimed. The DISH full-premises DVR network is a MoCA network created between at least one Hopper DVR and one or more Joey receivers using the on-premises coaxial cable network. This MoCA network is compliant with MoCA 1.0, 1.1, and/or 2.0.</p> <p>“The MoCA Network transmits high speed multimedia data over the in-home coaxial cable infrastructure. The topology of the in-home coax infrastructure and its associated channel characteristics greatly influence all aspects of the MoCA architecture. In particular, special attention has been given to ensuring network robustness along with inherent low packet error rate performance without the use</p>

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	<p>of retransmissions. This is achieved primarily through the use of full-mesh pre-equalization techniques using a form of Orthogonal Frequency Division Multiplexing (OFDM) modulation referred to herein as Adaptive Constellation 8 Multitone (ACMT).” (MoCA 2.0, Section 5)</p> <p>“Since the MoCA MAC is fully coordinated, every MoCA node in the network must have a clock reference that is synchronized with the System Time. In a MoCA Network, the master reference for the System Time is always the NC. All other MoCA nodes synchronize their local clocks by reading System Time stamps from the NC.” (MoCA 2.0, Section 5.3.1)</p> <p>DISH utilizes the MoCA standard to provide an on-premises DVR network over an on-premises coaxial cable network as described below:</p>

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	 <p>Dish 1000.2 Antenna With Dish Pro Hybrid LNBF (for Hopper 3)</p> <p>Single RG-6 Coax line</p> <p>RG-6 Coax</p> <p>DISH Pro Hybrid Solo Hub</p> <p>RG-59 Coax will work, RG-6 Coax recommended</p> <p>Hopper 3</p> <p>1 x 3 Splitter</p> <p>1 x 3 Splitter</p> <p>Joey</p> <p>Joey</p> <p>4K Joey</p> <p>4K Joey</p> <p>Joey</p> <p>Joey</p> <p>DISH PRO HYBRID SOLO HUB: This Solo Hub is a home video network device that combines multi-orbital coaxial cable satellite feeds from a DISH 1000.2 antenna or switch into a single-cable coaxial satellite feed to support MoCA networking for the Hopper 3 DVRs (host). The client ports are intended to feed up to 6 Joey client receivers (clients). The Solo Hub creates a MoCA video network for Hopper DVRs and Joeys. Rated 50 MHz to 3 GHz.</p> <p>SPLITTERS: 1 GHz common splitters can be used to feed Joey client receivers.</p> <p>HOPPER 3: The Hopper 3 is the revolutionary whole-home DVR from DISH that</p>

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	<p>includes 16 satellite tuners and a 2TB hard drive.</p> <p>JOEY: The Joey is the MoCA thin-client receiver that networks with the Hopper for viewing on additional TVs.</p> <p>4K JOEY: The 4K Joey is an option for installation on additional 4K TVs.</p> <p>DISH PRO HYBRID 42 SWITCH: This switch allows two Hopper 3 DVRs to be installed using a single DISH traditional 1000.2 antenna. Each Hopper 3 forms its own MoCA video network with connected Joeys. The switch comes with a 110VAC power supply unit.</p> <p>Your new Hopper® 3 receiver is a Whole-Home HD DVR that offers full digital video recording functionality, including pausing live TV, to every TV in your house that is part of your Whole-Home DVR system. The Hopper 3 receiver is the hub for all things entertainment. It is an HD DVR that provides the equivalent of 16 tuners, allowing you to record multiple HD channels at once and at any time and play them back in any room in your home. Using the PrimeTime Anytime® feature, you can record up to six HD channels simultaneously (with your local ABC, CBS, FOX and NBC channels provided in HD, which may not be available in all markets). It is one HD DVR that works independently on as many as four different TVs at the same time, so everyone can be in different room watching their favorite TV programming.</p> <p>Joey® receivers (Joey®, SuperJoey®, Wireless Joey®, 4K Joey™) connect to other TVs in your home and link to the Hopper 3 system, creating a Whole-Home DVR network. It supports all of the features of the Hopper 3 (with the exception of Picture-In-Picture) and offers an identical user interface as the Hopper 3. You can connect a Joey receiver to a high-definition or standard-definition TV.</p>

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	<p data-bbox="835 282 1430 321"><b>CONNECTING THE JOEY RECEIVER(S)</b></p> <p data-bbox="909 350 1745 548">This section describes how to connect the receiver's <b>HOME VIDEO NETWORK</b> connection to one or more cable-ready remote TV(s) located in other room(s) away from the Hopper. You can use these instructions to connect TVs in your home to see live and recorded programming from the Hopper. This installation uses your in-home coaxial cable system. If your home does not have built-in cabling, it will be necessary to run these cables from the Hopper HD DVR to each Joey Receiver connected to a remote TV. Due to the potential complexity of this installation, you should have this professionally installed. Call the DISH Customer Service Center at 1-800-333-DISH (3474) for more information.</p> <p data-bbox="909 578 1745 678">If you need another remote control, be sure to order the replacement remote control kit for Hopper and Joey that uses UHF-2G signals. Call your DISH retailer, or visit <a href="http://www.mydish.com">www.mydish.com</a> online, select Upgrades, then Products, and click on Remote &amp; Accessories.</p> <ol style="list-style-type: none"> <li data-bbox="873 708 1696 760"><b>1</b> Connect the <b>HOME VIDEO NETWORK</b> output on the back of the Hopper HD DVR to an existing wall cable outlet using a coaxial cable.</li> <li data-bbox="873 776 1682 828"><b>2</b> Connect the Joey Receiver(s) in other room(s) to existing wall cable outlet(s) using coaxial cable(s).</li> <li data-bbox="873 844 1745 1042"><b>3</b> Connect the Joey Receiver(s) to an audio/video input of the remote TV in each room. <ul style="list-style-type: none"> <li data-bbox="909 889 1745 964">• If it is a high-definition TV or monitor and an HDMI connection is available on the remote TV, use a single HDMI cable from the output on the back of the Joey Receiver to provide high-quality audio and HD/SD video. See page 94.</li> <li data-bbox="909 971 1745 1042">• If it is a standard-definition TV or an HDMI connection is not available on the remote TV, use composite (yellow) video and stereo audio cables from the outputs on the back of the Joey Receiver. See page 95.</li> </ul> </li> <li data-bbox="873 1058 1745 1110"><b>4</b> Turn on every Joey Receiver and remote TV connected to the in-home cabling system. If you have not already done so, you may need to pair a remote control to each Joey.</li> <li data-bbox="873 1127 1724 1179"><b>5</b> Follow the on-screen prompts or included instructions for linking each Joey Receiver to your Hopper HD DVR. (The Hopper is the host for DISH Whole-Home DVR services.)</li> <li data-bbox="873 1195 1745 1347"><b>6</b> Confirm that you see a picture from your Joey Receiver(s) on your remote TV(s). <ul style="list-style-type: none"> <li data-bbox="909 1240 1583 1266">• If your picture looks good, then you are finished with this procedure.</li> <li data-bbox="909 1273 1745 1347">• If your TVs do not display a picture or if the picture is not as clear as you would like it to be, repeat the steps to confirm all the connections. Coaxial connections should be hand-tightened.</li> </ul> </li> </ol>

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<p>exchanging a local clock time between a first node and a second node over the communication network, wherein the exchange comprises:</p>	<p>The Accused MoCA Instrumentalities operate to exchange a local clock time between a first node and a second node over the communication network as described below.</p> <p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that exchange a local clock time between a first node and a second node over the communication network.</p> <p>“Since the MoCA MAC is fully coordinated, every MoCA node in the network must have a clock reference that is synchronized with the System Time. In a MoCA Network, the master reference for the System Time is always the NC. All other MoCA nodes synchronize their local clocks by reading System Time stamps from the NC.” (MoCA 2.0, Section 5.3.1)</p> <p>“The MoCA Network is built on a fully coordinated TDMA/OFDMA channel. In order to improve Channel Time Clock (CTC) synchronization, a ranging protocol is adopted which accounts for the propagation delay between any two nodes. Once the propagation delay is known to nodes, the PHY-frame arrival time between nodes becomes more predictable, which results in benefits such as a reduced IFG requirement and a reduced CP for OFDMA PHY-frames. Ranging is performed between any pair of nodes in the network, but only the ranging between the NC and a Client Node needs signaling from NC to the Client Node.” (MoCA 2.0, Section 7.4)</p>
<p>transmitting a first packet from the first node to the second node, wherein the first packet</p>	<p>The Accused MoCA Instrumentalities operate to transmit a first packet from the first node to the second node, wherein the first packet includes a first packet clock</p>

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<p>includes a first packet clock time set to the local clock time of the first node at transmission time, and includes a scheduled arrival clock time, and</p>	<p>time set to the local clock time of the first node at transmission time, and includes a scheduled arrival clock time as described below.</p> <p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that transmit a first packet from the first node to the second node, wherein the first packet includes a first packet clock time set to the local clock time of the first node at transmission time, and includes a scheduled arrival clock time.</p> <p>“The NC MUST broadcast Beacon messages as described in Section 14.2.4. The Beacons transmitted by the NC in a MoCA Network are referred to as MoCA 2.0 Beacons. The format of the MoCA 2.0 Beacon is shown in Table 6-2. The MoCA 2.0 Beacon MUST be transmitted on one of the 50 MHz channels of the MoCA 2.0 100 MHz band. As with Beacon transmissions in MoCA 1.0 [7], the NC transmits unencrypted MoCA 2.0 Beacons at fixed intervals of BSI using 50 MHz Diversity Mode.” (MoCA 2.0, Section 7.1.1)</p> <p>“The MoCA 2.0 Beacon is backward compatible with the MoCA 1.0 Beacon so that MoCA 1 nodes can receive and parse a MoCA 2.0 Beacon. MoCA 2.0 Beacons carry additional information to support MoCA 2.0 features.” (MoCA 2.0, Section 7.1.1)</p> <p>“The NC MUST transmit Beacons at fixed intervals. This interval between two consecutive Beacon packets is called the “Beacon Synch Interval” (BSI). (See Appendix A for parameter values). Each Beacon includes fields that allow new nodes to find transmission opportunities to get admitted. Each Beacon includes a System</p>

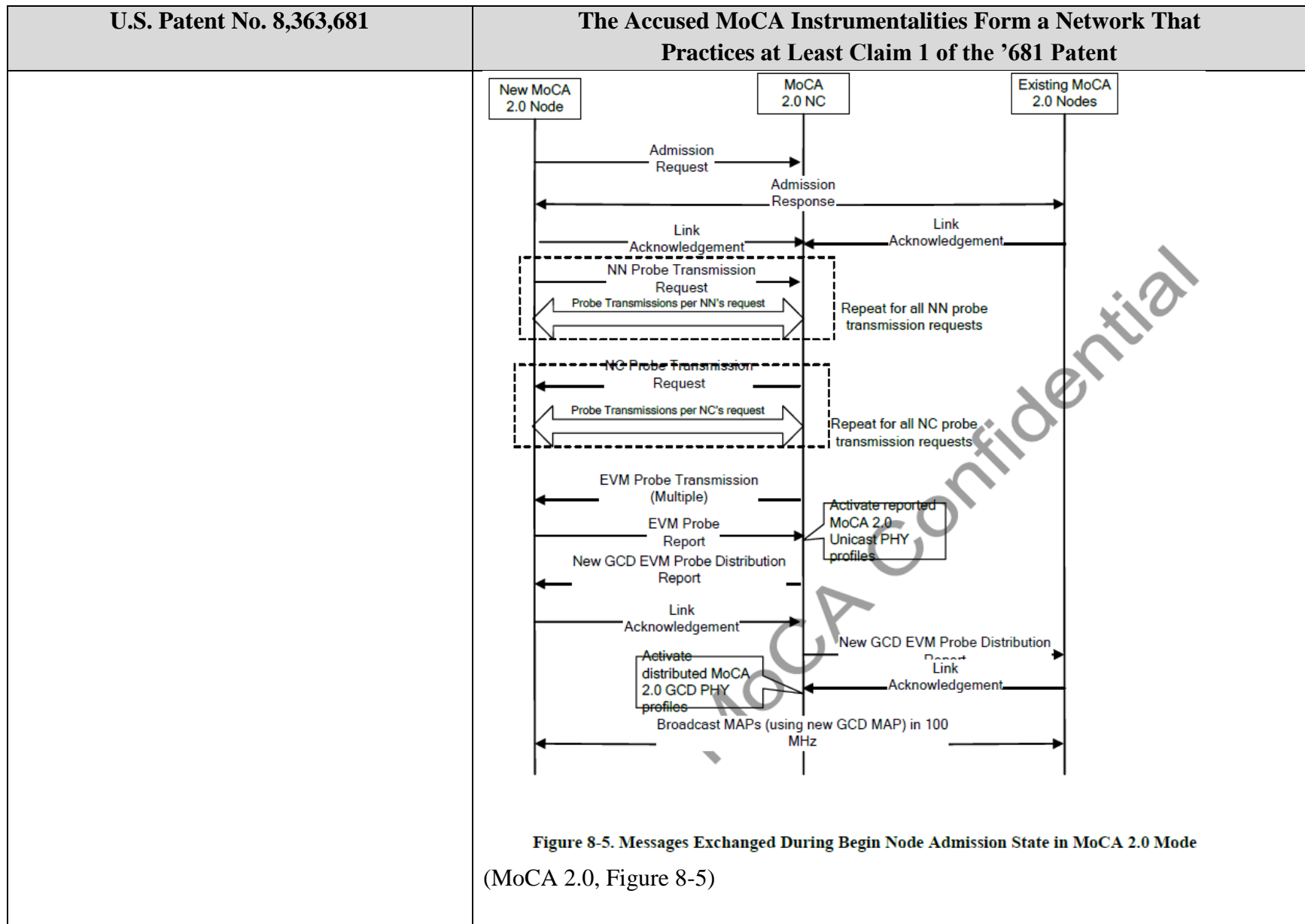


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	<p>Time stamp which new nodes use to synchronize their own reference clock with the NC for transmission and reception of packets. Time stamps are also sent in every MAC frame.” (MoCA 1.0, Section 3.3)</p> <p>“Each node SHALL have a local 32-bit clock reference known as the Channel-Time Clock (CTC). The NC’s clock, by definition, represents System Time for the network, which SHALL be counted in units of SLOT_TIMEs (<math>\pm 100</math>ppm) (same as for MoCA 1). The counting-rate of the NC’s System Time clock and the NC’s carrier frequency MUST both be derived from a common reference frequency. Each node MUST adjust and maintain the counting-rate of its CTC to match, within <math>\pm 20</math>ppm, the clock-rate of the NC, starting from the first Beacon received.” (MoCA 2.0, Section 14.7.1)</p> <p>“A New Node (NN) SHALL measure the Time-of-Arrival for every Beacon message, until the initial clock synchronization is concluded. After each such Beacon, the admitting node MUST immediately (before its next transmission) set its CTC count by adding to it the following differential: TRANSMIT_CLOCK – ArrivalTime where ArrivalTime is the measured Time-of-Arrival of the Beacon message according to the admitting node’s CTC before the new setting, and TRANSMIT_CLOCK is from the header received from the Beacon message (i.e., the NC’s transmission start time according to the NC’s System Time clock).” (MoCA 2.0, Section 14.7.2)</p>
setting the local clock time of the second node to the first packet clock time;	The Accused MoCA Instrumentalities operate to set the local clock time of the second node to the first packet clock time as described below.

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	<p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that set the local clock time of the second node to the first packet clock time.</p> <p>“Each node SHALL have a local 32-bit clock reference known as the Channel-Time Clock (CTC). The NC’s clock, by definition, represents System Time for the network, which SHALL be counted in units of SLOT_TIMES (<math>\pm 100</math>ppm) (same as for MoCA 1). The counting-rate of the NC’s System Time clock and the NC’s carrier frequency MUST both be derived from a common reference frequency. Each node MUST adjust and maintain the counting-rate of its CTC to match, within <math>\pm 20</math>ppm, the clock-rate of the NC, starting from the first Beacon received.” (MoCA 2.0, Section 14.7.1)</p> <p>“A New Node (NN) SHALL measure the Time-of-Arrival for every Beacon message, until the initial clock synchronization is concluded. After each such Beacon, the admitting node MUST immediately (before its next transmission) set its CTC count by adding to it the following differential: TRANSMIT_CLOCK – ArrivalTime where ArrivalTime is the measured Time-of-Arrival of the Beacon message according to the admitting node’s CTC before the new setting, and TRANSMIT_CLOCK is from the header received from the Beacon message (i.e., the NC’s transmission start time according to the NC’s System Time clock).” (MoCA 2.0, Section 14.7.2)</p>
performing a ranging method between the first and second nodes based on the local clock time exchanged, wherein the ranging method results in an estimated propagation delay	The Accused MoCA Instrumentalities operate to perform a ranging method between the first and second nodes based on the local clock time exchanged, wherein the ranging method results in an estimated propagation delay between the first and second node as described below.

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<p>between the first and second node, and wherein the ranging method comprises:</p>	<p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that perform a ranging method between the first and second nodes based on the local clock time exchanged, wherein the ranging method results in an estimated propagation delay between the first and second node.</p> <p>“The MoCA Network is built on a fully coordinated TDMA/OFDMA channel. In order to improve Channel Time Clock (CTC) synchronization, a ranging protocol is adopted which accounts for the propagation delay between any two nodes. Once the propagation delay is known to nodes, the PHY-frame arrival time between nodes becomes more predictable, which results in benefits such as a reduced IFG requirement and a reduced CP for OFDMA PHY-frames. Ranging is performed between any pair of nodes in the network, but only the ranging between the NC and a Client Node needs signaling from NC to the Client Node.” (MoCA 2.0, Section 7.4)</p> <p>“Reference clocks at each 2.0 node SHALL be closely synchronized to the System Time broadcast by the 2.0 Network Coordinator (NC), including systematic correction for propagation delays from the NC, to ensure accurate and precise network-wide adherence to scheduled transmission periods. Tight tolerance on clock synchronization among 2.0 nodes enables minimal IFG overhead. A Ranging Protocol SHALL be utilized to: Synchronize an admitting node’s clock to that of the NC; Measure propagation delays between each node and the NC; Regularly maintain all CTCs against drift relative to that of the NC.” (MoCA 2.0, Section 14.7.1)</p>

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<p>transmitting a second packet from the second node to the first node, wherein the second packet is transmitted from the second node at the scheduled arrival clock time, and wherein the second packet is received by the first node at an actual arrival clock time,</p>	<p>The Accused MoCA Instrumentalities operate to transmit a second packet from the second node to the first node, wherein the second packet is transmitted from the second node at the scheduled arrival clock time, and wherein the second packet is received by the first node at an actual arrival clock time as described below.</p> <p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that transmit a second packet from the second node to the first node, wherein the second packet is transmitted from the second node at the scheduled arrival clock time, and wherein the second packet is received by the first node at an actual arrival clock time.</p> <p>“The admission process of a new MoCA 2.0 Node depends on the operation mode of the MoCA Network that it is going to join. A MoCA 2.0 Node seeking admission to an existing network MUST be capable of delivering admission messages in MoCA 1 PHY or MoCA 2.0 PHY during the Admission Control Frames (ACF), depending on indications received in the Beacon message.” (MoCA 2.0, Section 8.3)</p> <p>“The NN MUST use the MoCA 2.0 Admission Request transmission period (indicated in the Beacon by ACF_TYPE = 0x0F and ADDITIONAL_ACF_TYPE = 0x03) to send an Admission Request frame to the NC. All the fields of the Request MUST be filled in as shown in Table 6-11.” (MoCA 2.0, Section 8.3.4.1.1)</p>



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	<p>“The NC SHALL measure the Time-of-Arrival for one or more subsequent messages transmitted by the admitting node in ACF slots, which will arrive at the NC later than the NC’s scheduled start time for the message(s). The measured delay represents a round-trip delay (i.e., two one-way propagation delays). The NC SHALL calculate its measured propagation delay:</p> $\text{PropDelay} = (\text{ArrivalTime} - \text{TRANSMIT\_CLOCK}) / 2$ <p>where ArrivalTime is the Time-of-Arrival measured for a message transmitted by the admitting node in an ACF slot, and TRANSMIT_CLOCK is from the header received from the same message transmitted by the admitting node in an ACF slot. The formula for PropDelay (above) is written such that its value is expressed in the same units as TRANSMIT_CLOCK (i.e., SLOT_TIMES), but the NC MUST report PropDelay in units of 10ns. The NC MAY equivalently substitute its scheduled start time in place of the received TRANSMIT_CLOCK to calculate PropDelay. The NC MAY utilize averaging or other techniques to improve the accuracy or precision of its measurement of PropDelay. The NC MUST report its measured PropDelay to the admitting node in the ACF slot (see Section 8.3.4.1.7 for MoCA 2.0 Mode networks and Section 8.3.4.2 for Mixed Mode networks). The admitting node MUST record the PropDelay reported by the NC, and MUST immediately (before its next transmission) add the PropDelay to its CTC, thereby concluding the initial clock synchronization.” (MoCA 2.0, Section 14.7.2)</p>
calculating and storing the estimated propagation delay at the first node, wherein calculating the estimated propagation delay is	The Accused MoCA Instrumentalities operate to calculate and store the estimated propagation delay at the first node, wherein calculating the estimated propagation delay is based on the scheduled arrival clock time and the actual arrival time as described below.

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<p>based on the scheduled arrival clock time and the actual arrival time, and</p>	<p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that calculate and store the estimated propagation delay at the first node, wherein calculating the estimated propagation delay is based on the scheduled arrival clock time and the actual arrival time.</p> <p>“The NC SHALL measure the Time-of-Arrival for one or more subsequent messages transmitted by the admitting node in ACF slots, which will arrive at the NC later than the NC’s scheduled start time for the message(s). The measured delay represents a round-trip delay (i.e., two one-way propagation delays). The NC SHALL calculate its measured propagation delay:  <math display="block">\text{PropDelay} = (\text{ArrivalTime} - \text{TRANSMIT\_CLOCK}) / 2</math> where ArrivalTime is the Time-of-Arrival measured for a message transmitted by the admitting node in an ACF slot, and TRANSMIT_CLOCK is from the header received from the same message transmitted by the admitting node in an ACF slot.”  (MoCA 2.0, Section 14.7.2)</p> <p>“Upon reception of the EVM Probe Report from the NN containing a unicast bitloading report elements, the NC MUST compute and send a GCD Distribution Report to the NN. The NC MUST schedule an ACF frame with ACF_TYPE = 0x0F and ADDITIONAL_ACF_TYPE = 0x12 for this transmission. The GCD Distribution report is sent using the MoCA 2.0 Probe Report format described by Table 6-21, and MUST include the following five report elements:  The MAP bitloading report element (TYPE = 0x1) as defined in Table 6-24  The GCD bitloading report element for NPER (TYPE = 0x2) as defined in Table 6-24</p>

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	<p>The GCD bitloading report element for VLPER (TYPE = 0x2) as defined in Table 6-24</p> <p>The ranging report element for the NC to report its value for PropDelay (see Section 14.7.2) to the NN as defined in Table 6-26 (using SUB_TYPE = 0x0)</p> <p>The Unicast Fragmentation Information Report Element defined by Table 6-32” (MoCA 2.0, Section 8.3.4.1.7)</p>
<p>transmitting a third packet from the first node to the second node, wherein the third packet comprises the estimated propagation delay; and</p>	<p>The Accused MoCA Instrumentalities operate to transmit a third packet from the first node to the second node, wherein the third packet comprises the estimated propagation delay as described below.</p> <p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that transmit a third packet from the first node to the second node, wherein the third packet comprises the estimated propagation delay.</p> <p>“After receiving a MoCA 2.0 Admission Request frame, the NC MUST broadcast a MoCA 2.0 Admission Response frame in the ACF transmission period defined in the Beacon (ACF_TYPE = 0x0F and ADDITIONAL_ACF_TYPE = 0x04). The NC MUST follow the Node ID assignment rules in 8.3.1 to assign a Node ID to the NN. The format of the MoCA 2.0 Admission Response frame is given in Table 6-12.” (MoCA 2.0, Section 8.3.4.1.1)</p> <p>“The NC MUST report its measured PropDelay to the admitting node in the ACF slot (see Section 8.3.4.1.7 for MoCA 2.0 Mode networks and Section 8.3.4.2 36 for Mixed Mode networks).” (MoCA 2.0, Section 14.7.2)</p>



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<p>adjusting the local clock time of either the first or second node based on the estimated propagation delay, thereby resulting in a synchronized local clock time between the first and second node.</p>	<p>The Accused MoCA Instrumentalities operate to adjust the local clock time of either the first or second node based on the estimated propagation delay, thereby resulting in a synchronized local clock time between the first and second node as described below.</p> <p>For example, by virtue of their compliance with MoCA, the Accused MoCA Instrumentalities include circuitry and/or associated software modules that adjust the local clock time of either the first or second node based on the estimated propagation delay, thereby resulting in a synchronized local clock time between the first and second node.</p> <p>“The admitting node MUST record the PropDelay reported by the NC, and MUST immediately (before its next transmission) add the PropDelay to its CTC, thereby concluding the initial clock synchronization.” (MoCA 2.0, Section 14.7.2)</p>